

(V) FILLED FOR A PERIOD OF LESS THAN 12 MONTHS.

(3) FOR A BUSINESS ENTITY ENGAGED IN A BUSINESS ACTIVITY DESCRIBED IN § 5-1102(B)(2)(II)1 OF THIS SUBTITLE, "QUALIFIED POSITION" DOES NOT INCLUDE ANY POSITION OTHER THAN A POSITION ENGAGED IN:

(I) THE OPERATION OF ENTERTAINMENT, RECREATION, CULTURAL, OR TOURISM-RELATED ACTIVITIES FOR THE MULTUSE FACILITY IN WHICH THE ENTERTAINMENT, RECREATION, CULTURAL, OR TOURISM-RELATED ACTIVITIES ARE OPERATED; OR

(II) MANAGEMENT, MARKETING, BUILDING MAINTENANCE, HOTEL SERVICES, AND SECURITY FOR THE FACILITY.

(I) "REVITALIZATION AREA" MEANS:

(1) AN AREA DESIGNATED AS AN ENTERPRISE ZONE BY THE SECRETARY UNDER § 5-402 OF THIS TITLE OR BY THE UNITED STATES GOVERNMENT;

(2) AN AREA DESIGNATED AS AN EMPOWERMENT ZONE BY THE UNITED STATES GOVERNMENT PURSUANT TO 26 U.S.C. § 1391 ET SEQ.; OR

(3) AN AREA DESIGNATED AS AN ELIGIBLE NEIGHBORHOOD FOR ECONOMIC REVITALIZATION ASSISTANCE UNDER ARTICLE 83B, § 2-1303 OF THE CODE.

(I) "SECRETARY" MEANS THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT OR THE SECRETARY'S DESIGNEE.

5-1102.

(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE JOB CREATION TAX CREDITS AUTHORIZED UNDER THIS SUBTITLE ARE FOR THE PURPOSE OF INCREASING THE NUMBER OF NEW JOBS IN THE STATE BY ENCOURAGING THE EXPANSION OF EXISTING PRIVATE SECTOR ENTERPRISES AND THE ESTABLISHMENT OR ATTRACTION OF NEW PRIVATE SECTOR ENTERPRISES.

(B) (I) (I) THE SECRETARY SHALL CERTIFY A PERSON AS A QUALIFIED BUSINESS ENTITY ELIGIBLE FOR THE TAX CREDIT UNDER THIS SUBTITLE IF THE PERSON SATISFIES THE CRITERIA SET FORTH IN THIS SECTION.

(II) A BUSINESS ENTITY MAY NOT BE CERTIFIED AS QUALIFYING FOR THE TAX CREDIT UNDER THIS SUBTITLE UNLESS THE BUSINESS ENTITY NOTIFIES THE DEPARTMENT OF ITS INTENT TO SEEK CERTIFICATION BEFORE ESTABLISHING OR EXPANDING THE BUSINESS FACILITY ON WHICH THE CREDIT IS BASED.

(2) TO QUALIFY FOR THE TAX CREDIT PROVIDED UNDER THIS SUBTITLE, A BUSINESS ENTITY MUST ESTABLISH OR EXPAND A BUSINESS FACILITY IN THE STATE THAT:

(I) RESULTS IN THE CREATION OF:

1. AT LEAST 60 QUALIFIED POSITIONS; OR